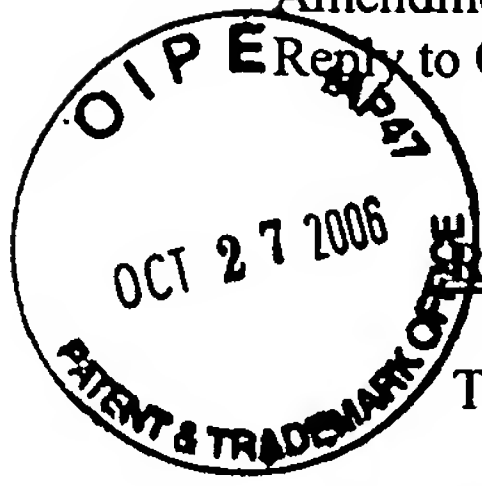


REMARKS/ARGUMENTS

This filing is in response to the Final Office Action mailed on 04/27/2006, for the present application, which has been reviewed. Claims 1-27, considered together with the following remarks, the arguments below, and request for reconsideration are believed sufficient to place the application into condition for allowance. The present invention is drawn to methods for an interactive computer based training system and testing of building safety information, and an interactive computer based training and testing system. Claims 1 to 15 are limited to methods for an interactive computer based training and testing. Claims 16 to 27 are limited to a defined interactive computer based training and testing system. No new matter has been added to the application. Applicants express appreciation for the thoughtful examination by the Examiner.



Rejection of Claims 1-11 and 13-28 Under 35 U.S.C. § 102 Should Be Withdrawn

The present Office Action reject claims 1-11, and 13-27 under 35 U.S.C. section 102(f) as being anticipated by U.S. Patent Application 10/097,783. Applicants respectfully traverse this rejection and request favorable reconsideration and withdrawal of this rejection. Further, Applicants submit this rejection is rendered moot by the following comments and legal exhibits.

Applicants have now filed with the USPTO, for the Examiner's consideration, a Request to Correct Inventorship under 37 C.F.R. 1.48(a), deleting Hector Manuel Gomez as an inventor in the U.S. Patent Application No. 10/097,783. This Request accompanies: (1) a statement from Mr. Gomez that the error occurred without deceptive intention on his part; (2) a declaration executed by Ramon Diaz; (3) the fee set forth in 37 C.F.R. 1.17(i); (4) the consent of the Assignee including a Statement under 37 C.F.R. 3.73(b); (5) Assignments of both Patent Applications to SurePath Solutions; and (6) a Statement from the Assignee naming Ramon and Olga Diaz, of U.S. Patent Application 10/711,288, filed on September 8, 2004 as the Prior Inventor of the conflicting claims between 10/711,288 and 10/097,783.

These documents clearly establish Olga and Ramon Diaz are the first inventors of the claimed invention, Patent Application No. 10/711,288.

For the reasons set forth above, withdrawal of this rejection is respectfully requested.

Rejection of Claims 1-27 Under 35 U.S.C. § 103 Should Be Withdrawn

The present action rejects claims 1-27 under 35 U.S.C. section 103(a) as being obvious over Kouba et al (U.S. Patent 6,325,631), in view of OSHA 2254. Applicants respectfully traverse this rejection and request favorable reconsideration and withdrawal of this rejection. Further, Applicants submit this rejection is rendered moot by the following comments.

The present application is drawn to an interactive computer based occupant training and testing system of building safety information. Occupants are defined by the American Heritage Dictionary as "one that occupies a position or place, such as a tenant or owner" (reference attached).

Kouba discloses an instructor giving basic training, then a computer program giving site specific training and certification for employees or workers. Kouba is tailored to the needs of manufacturing plants and contract employees. In contrast, the instant invention is drawn to building-specific emergency response plans for occupants, without the need for an instructor. Moreover, Kouba is directed to basic OSHA courses, comprising Industrial Applicability referencing employee safety procedures for a skilled worker in performing their job. In contrast, the instant invention is specifically drawn to site-specific emergency procedures per the particular building's state/city codes for occupants. As such, training frequently can include individuals not trained for industrial applications or industrial expertise. More specifically, high rise buildings, are neither taught in the prior art cited as admitted by the Examiner, nor is there a suggestion that they do.

The instant claims clearly define the novel core invention as a long-felt need for saving multitudes of lives of ordinary people, which may not be experienced in aspects of building or emergency training in the event of a natural disaster or a terrorism attack, clearly different than employee training. Claims of the present invention have been narrowly drawn to occupants, which may include professionals with or without industrial safety backgrounds, and even families, as tenants or owners. The failure of the prior-art cited to solve this long-felt need is due to the lack of appreciation of these life saving benefits to occupants, and not limited to employees.

For the reasons set forth above, Applicants submit that claims 1-27 recite patentable subject matter and have been sufficiently differentiated from Kouba in view of OSHA 2254, thus withdrawal of this rejection is respectfully requested.

In light of the foregoing, Applicants therefore believes claims 1-27 are in condition for allowance, and respectfully requests such allowance.

CONCLUSION

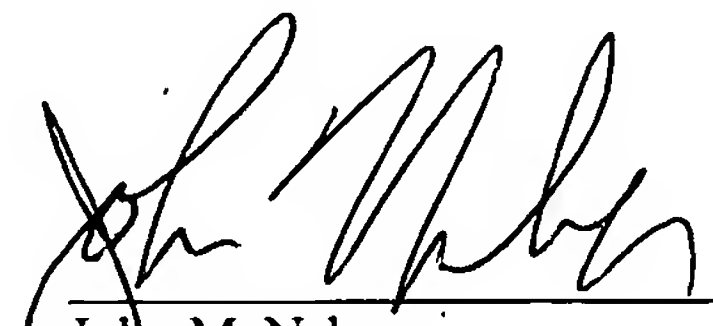
Examiner noted that the prior art of record was considered pertinent to Applicants' disclosure. Applicants' have reviewed the prior art of record and submit it does not adversely bear on the patentability of the pending claims.

In light of the foregoing, Applicants respectfully submit they have addressed each and every item presented by the Examiner in this Office Action. Favorable reconsideration of all of the claims is earnestly solicited. Applicants submit that the present application, with the foregoing remarks, is in a condition for allowance and respectfully request such allowance.

In the event any further matters requiring attention are noted by Examiner or in the event that prosecution of this application can otherwise be advanced thereby, a telephone call to Applicants' undersigned representative at the number shown below is invited.

If additional fees are incurred because of this Request for Reconsideration and Request to Correct Inventorship under 37 C.F.R. 1.48(a) and not included, the Commissioner is authorized to charge said additional fees, as well as credit any overpayments, to Deposit Account No. 04-1061 of Dickinson Wright, PLLC.

Respectfully submitted,



John M. Naber
Registration No. 46,487

DICKINSON WRIGHT PLLC
1901 L St., N.W.
Suite 800
Washington, D.C. 20036
Telephone: 202/659-6950
Facsimile: 202/659-1559
Date: October 27, 2006